

1 SB13  
2 203066-9  
3 By Senator Livingston  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 02-FEB-21  
6 PFD: 12/02/2020

1 SB13

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4 ENROLLED, An Act,

5 Relating to alarm systems; to define a  
6 battery-charged fence used in connection with a new or  
7 existing alarm system; to limit the authority of a  
8 municipality or county to regulate the installation and use of  
9 a battery-charged fence as defined in this act; and to provide  
10 that this act would not apply to a battery-charged fence used  
11 for agricultural or animal containment purposes.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) For purposes of this act, a  
14 "battery-charged fence" means a new or existing alarm system  
15 and ancillary components or equipment attached to the system  
16 that includes a fence and an energizer powered by a commercial  
17 storage battery which produces a short electric pulsed charge  
18 upon contact with the fence and battery charging device used  
19 exclusively to charge the battery and meets all of the  
20 following requirements:

21 (1) Interfaces with a monitored alarm device in a  
22 manner that enables the alarm system to transmit a signal  
23 intended to summon the business or law enforcement, or both,  
24 in response to an intrusion or burglary.

1           (2) Is located on property that is not designated by  
2 a municipality or county exclusively for residential use.

3           (3) Has an energizer that is driven by a commercial  
4 storage battery that is not more than 12 volts of direct  
5 current.

6           (4) Produces an electric charge on contact that does  
7 not exceed energizer characteristics established for electric  
8 fence energizers by the current standards of the International  
9 Electrotechnical Commission.

10          (5) Is surrounded by a nonelectric perimeter fence  
11 or wall that is not less than five feet in height.

12          (6) Is at least 10 feet in height.

13          (7) Is at least two feet higher than the height of  
14 the non-electric perimeter fence or wall.

15          (8) Is marked with conspicuous warning signs that  
16 are located on the battery charged fence at not more than  
17 30-foot intervals and that read: "WARNING-ELECTRIC FENCE."

18          (b) Notwithstanding any other law, a municipality or  
19 county may not adopt or enforce an ordinance, resolution,  
20 order, or rule that does any of the following:

21           (1) Requires a permit or fee for the installation or  
22 use of a battery-charged fence that is in addition to any fee  
23 or alarm system permit required for any other alarm system by  
24 the municipality or county. No additional permit or fee shall  
25 be required for the battery-charged fence.

1           (2) Imposes installation or operational requirements  
2 for the battery-charged fence that are inconsistent with the  
3 requirements and standards described in this section.

4           (3) Prohibits the installation or use of a  
5 battery-charged fence.

6           (c) This section does not apply to a battery-charged  
7 fence used for agricultural or animal containment purposes.

8           (d) This section shall not be construed as  
9 prohibiting a municipality from charging a business license as  
10 provided in Article 2 of Chapter 51 of Title 11, Code of  
11 Alabama 1975, for any person or business installing  
12 battery-charged fences.

13           Section 2. This act shall become effective  
14 immediately on its passage and approval by the Governor, or  
15 its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB13  
Senate 09-FEB-21  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 27-APR-21

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By: Senator Livingston